

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

November 5, 1959
9:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

Roll call:

Present: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works; Robert A. Miles, Chief of Police.

Councilman White moved that the Minutes of the Meeting of October 29, 1959, be approved. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

At the request of the Mayor, the City Manager gave a report on his trip to New York in connection with the recent bond sale, and on the financial status of the city, stating the city enjoyed a very favorable position with respect to its bond ratings, but that the bond market had in recent months begun to increase in interest rates; and when the City sold bonds again, it would be faced with higher interest costs. He stated that up to now the debt service tax had not been increased; but if interest rates became exorbitant, either the amount of bonds would have to be reduced, or the tax rate would have to be increased. He said that the last \$100,000 of Recreation bonds had just been sold. The City Manager outlined the manner in which the parks were gradually being developed each year. He read a recommendation of what should be done with the proceeds of the sale of the old Country Club tract in case it were sold, the recommendation setting out four proposals, approximating equal amounts of the \$800,000 base amount:

1. Development of the Town Lake Riverfront
2. New Park and Playground Sites.
3. Bartholomew District Park Development
4. Another Golf course.

He recommended everything over \$800,000 be used to further accelerate the accomplishment of park and recreation projects listed in the Capital Improvements Program.

MR. HOYLE OSBORNE, Planning Engineer, stated the Capital Improvement Program had listed \$1,000,000 for the next five years, and roughly another million for the succeeding five years for Recreation.

MAYOR MILLER listed various purchases of property of lake front, totalling 1000 acres of land the City owns around the river between Montopolis Bridge and Lake Austin; and listed projects that were necessary to the new lake. He called attention to other property the city had acquired and that had been a big asset, and stated the city had always been ahead in its thinking and acquiring land. He said 52 acres of the old Country Club tract had been dedicated for park purposes, but the other was not dedicated. He reviewed the purchase of this tract which was bought for \$175,000 for 92 acres, and now there is an offer of \$800,000 for 36 acres. He reviewed the purchase of other properties--Deep Eddy, Treaty Oak, land on Lamar for a green belt, besides the many acres of park land obtained recently. The City Manager stated the overall Capital Improvement program amounted to \$13½ Million Dollars; and out of that amount \$1½ Million is for recreation; and if the property is sold, that money could be used for recreation purposes, thus reducing the amount of bonds which would be needed; and at the same time producing some of the facilities, and advance other projects to an earlier date of completion. He stated also if the property were sold and the recommendations followed, more than 100 acres of land would be acquired to replace the 36, and the 100 acres would be in places where parks and playgrounds were really needed.

MR DAVE BARROW, Chairman of the Planning Commission, stated each piece of property that the city had acquired was a wise acquisition and he appreciated the Councils' foresight. He said the Planning Commission had gone on record as being in favor of selling the property and using the money; and in his opinion, the use of the money as recommended by the City Manager was sound.

DR. D. K. BRACE, Park and Recreation Board, stated the Board favored the sale of this tract for several reasons: (1) There are the 52 acres of a beautiful park in this area, and the community would not be without recreational facilities; (2) In long range planning, it was kept in mind the number of children needing parks in other communities, and this one area was not heavily populated with children; (3) that the Board was jealous of any city land and did not want to sell any of it, but this case was an exception, and so much more land would be obtained that the Board endorsed the sale 100%.

MR. FRANK QUINN, Chairman of the State Parks Board, stated it was true that Austin appropriated more money for parks than the State of Texas did. He stated the Council was acting wisely in considering the sale of the property, and that he concurred with the City Manager in his recommendation.

COLONEL RAY WARD endorsed the sale of the property, and emphasized the importance of beautifying the lake, as that would be a factor in attracting enterprise to Austin. MRS. MARGARET LOUISE HILL, also a member of the Park and Recreation Board, favored the sale of this tract as there was no need for further parks in this area. MRS. ALDEN DAVIS favored the sale of the property and the purchasing of other park property. MRS. FAGAN DICKSON stated that with the growth of Austin and the need of more park property, it was necessary to have ready money to go ahead and purchase property ahead of development and realize a savings in the longrun.

Former Senator JOHNNIE B. ROGERS stated he had checked into several phases of the sale of this land, particularly about the recommendation made in

the master plan some four or five years ago, to keep the property; but at this time there are five playgrounds within 12-15 blocks in this area, and this particular tract was no longer needed for recreation. He complimented Austin on its parks system and on its being such a far-reaching and foresighted city. He stated he had checked into all sections of the city as to what different ones thought about the sale of the property, and all over the city, people had told him they thought the property should be sold. He said he wanted to assure the Council that the people were for the sale of this property.

Former Representative SAM HANNA favored selling the property, and putting this valuable land on the tax rolls. MR. JOHN OSORIO was present, but made no statement.

MR. ED St. JOHN stated they were looking forward to this town-lake, and that over 15,000 people crossed the bridge everyday, and this lake was going to be a big asset. He said although the Recreation and Lakes Committee of the Chamber of Commerce had not actually voted on this, he was sure it would be the unanimous feeling that this tract should be sold, and the money distributed throughout the city. He personally endorsed the sale of the property so that there would be funds to develop the lake front.

MR. BOB FOLMAR stated the Council made a very wise decision, and he concurred with all of the statements made in this regard. MR. JACK ANDREWS, President of Austin Golf Association, commended the Council on its action. MR. S. P. KINSER, Planning Board, stated he felt that the Council was acting wisely.

MR. J. M. RILEY, Rogge Lane, said having a referendum would be a waste of time and money, and he was not for that. He said he was glad the land was going to be sold, and he wanted the Council to remember to include the northeast swimming pool. The Mayor stated that a swimming pool was in the program for Bartholomew Park; and if the group wanted a big one, it probably would be put on the paying status as Northwest, Deep Eddy and Barton. Mr. Riley stated they wanted it that way. MR. JOHNSON said he was interested in a swimming pool in Southwest Austin. He thanked the Council for its cooperation with the Optimist Club. MRS. M. HARRIS thanked the Council for the nice parks that had been provided for Austin; and stated that when people moved into other areas where new parks would be developed, they too would thank the Council.

MRS. JOHN BARROW stated that a problem of this size should be given to the people to decide, and she did not think the people were getting a chance to express themselves; and that often people felt if they were not agreeing with the Council, that the matter had already been decided upon and nothing more was to be done, except to say they were in opposition. Also when people were opposing something, they were interrupted in their testimony. She stated she would like to ask the Council to refrain from doing that when citizens came up to express themselves.

MR. EDMUNDS TRAVIS opposed the sale of the old Country Club tract, as he said if this tract were sold, Austin would need it again and could not replace it; and he asked why the Council did not call an election on selling the property. He inquired as to the method of sale, and asked if the City were going to let this land go for a little over \$20,000 an acre. He said in a few years, the property would be worth \$2 million. He suggested that the city have some independent appraisers, Mr. Ben King, or Mr. Leggett, make an appraisal of this tract.

MR. FRANK HORSFALL opposed the sale of the land without first submitting the issue to the people. He also opposed the sale of such a large tract to one concern, and suggested that if it were going to be sold, that it be divided and sold to several. MRS. FRANCISCO opposed the sale of the land.

MR. GIL KUYKENDAHL stated if this land were sold and several hundred more acres purchased, everyone would be better off.

MAYOR MILLER stated this property had been offered to the Schools, to the University of Texas, and offered for a Medical Branch along with the use of our Hospital for use in teaching their classes. He said had the City not bought the Country Club property, there would have been a community center there now. He said the land was not dedicated, and that it was acquired with foresite.

MR. R. H. ZABEL stated that this would be 10% of the park land in Austin. This statement was corrected.

REV. DAS KELLY BARNETT was present and submitted a corrected letter dated November 5, 1959, which original letter had been placed before the Council.

MAYOR MILLER listed the amount of property purchased, and reviewed some of the plans for beautifying the river--having fountains on the Butler Tract, putting wells at the head of Waller and Shoal Creeks. He stated the Council was charged with the buying and selling of land, and it was carrying out that duty. He said he would recommend that this sale be advertised in the Wall Street Journal, the Houston and Dallas papers and other papers in the State so that all people would have a chance to bid; and to assure that the Council was trying to get the utmost for this property, that it should be sold at public auction. Discussion of the bidding covered the beginning price of \$800,000, the right to reject all the bids, that all bids be in the increment of \$5,000. After discussion, Councilman Bechtol moved that the 36 acres known mainly as the East 40 or the old Country Club property be put up for auction sale as of Tuesday, December 8th at 10:00 A.M., in the Council Chamber; the bidding to start at \$800,000, and the bids be in increments of \$5,000 with a good faith check of not less than 10% (\$80,000); and that the property be sold subject to all the recommendations of the Planning Commission in regard to set backs, street dedication that we all agreed upon. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

MR. FRANK HORSFALL registered a complaint about the street cleaning, objecting to the force of the stream of water which threw all the dirt upon the sidewalks, and asked that the stream be directed that it could avoid this.

No action was taken on the ordinance vacating and closing a portion of alley south of Lake Austin Boulevard, west of Arlington Street.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, John Broad Construction Co. is the Contractor for the alteration

of a building located at 201-207 West 8th Street and desires a portion of the sidewalk and street space abutting Lots 7 and 8, Block 82, of the Original City of Austin, Travis County, Texas, during the alteration of the building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said John Broad Construction Co., the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at a point in the north property line approximately 15 feet west of the east property line; thence in a northerly direction and at right angles to the center line of West 8th Street to a point 5 feet south of the south curb line; thence in a westerly direction and parallel with the center line of West 8th Street approximately 45 feet to a point; thence in a southerly direction and at right angles to the center line of West 8th Street to the north line of the above described property.

2. THAT the above privileges and allotment of space are granted to the said John Broad Construction Co., hereinafter termed "Contractor", upon the following express terms and conditions:

(1) That the Contractor shall erect within the above described working space a solid fence built of not less than one-inch material and at least 8 feet in height or extending from the sidewalk to the underside of the present awning substantially braced and anchored and to maintain same in good condition at all times while the work is in progress. The Contractor will be permitted to put a door in the barricade that will either open in or slide parallel to the barricades, and at all times that material is being delivered or taken away from the building, a watchman shall be provided to warn pedestrians of approaching danger. The Contractor will also be permitted to use 2 parking meter spaces immediately in front of the entrance in the barricade for the delivery or removal of material during construction work.

(2) That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(3) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(4) That "No Parking" signs shall be placed on the street side of the barricades.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(7) That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(8) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting systems for all tunnels.

(9) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than January 15, 1960.

(10) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(11) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(12) That any public utility, or public or private property disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City Forces, or public utilities, shall be replaced or repaired at the Contractors expense.

(13) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5,000) which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The motion, seconded by Councilman Palmer, carried by the following vote:
Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Structural Restoration Co. is the Contractor for removing cornice on a building located at 522 Congress Avenue and desires a portion of the sidewalk and street space abutting Lots 4, 5, and 6, and the north 16 feet of Lot 3,

Block 55, of the Original City of Austin, Travis County, Texas, during the removing of cornice on the building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said Structural Restoration Co., the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at a point in the east line of the above described property approximately 60 feet south of the south line of West 6th Street; thence in an easterly direction and at right angles to the center line of Congress Avenue to the west curb line; thence in a northerly direction and parallel with the center line of Congress Avenue approximately 60 feet to a point; thence at an angle of approximately 45 degrees to a point in the south curb line of West 6th Street and a prolongation of the east property line; thence in a westerly direction and parallel with the center line of West 6th Street 160 feet to a point; thence in a southerly direction and at right angles to the center line of West 6th Street to the northwest corner of the above described property.

2. THAT the above privileges and allotment of space are granted to the said Structural Restoration Co., hereinafter termed "Contractor", upon the following express terms and conditions:

(1) That the Contractor will be permitted to erect and maintain a portable scaffold to be moved from time to time within the above described working space as the work requires, enclosing same with a suitable barricade and to protect pedestrians and cars from all harm or damage during the progress of the work. The Contractor will also be permitted to use 2 parking meter spaces immediately in front of the entrance in the barricade for the delivery or removal of materials during construction work.

(2) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting systems for all tunnels.

(3) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than February 1, 1960.

(4) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(5) That the Contractor shall furnish the City of Austin a surety bond in the sum of Two Thousand Dollars (\$2,000), which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or

property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The motion, seconded by Councilman Palmer, carried by the following vote:
 Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
 Noes: None

The City Manager submitted the following:

"November 3, 1959

"W. T. Williams, Jr., City Manager Assessment Paving Contract No. 59-A-23

"Following is a tabulation of the bids received at 10:00 A.M., Tuesday, November 3, 1959 for the construction of approximately thirty-nine (39) blocks of pavement and accessories known as Assessment Paving Contract Number 59-A-23 consisting of 18 units.

"McKown and Sons	\$104,112.32
Lee Maners	\$109,361.56
Giesen and Latson Construction Co.	\$117,423.78
Raymond Canon & Company	\$120,057.60
Collins Construction Co. of Texas	\$120,809.35
Ed H. Page	\$121,970.40
K & W Construction Company	\$133,469.41
 "City's Estimate	 \$119,708.84

"I recommend that McKown and Sons with their low bid of \$104,112.32 be awarded the contract for this project.

"S. Reuben Rountree, Jr.
 Director of Public Works"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on November 3, 1959 for the construction of approximately thirty-nine (39) blocks of pavement and accessories known as Assessment Paving Contract Number 59-A-23 consisting of 18 units; and

WHEREAS, the bid of McKown and Sons, in the sum of \$104,112.32, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works, of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of McKown and Sons, in the sum of \$104,112.32 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of

Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with McKown and Sons.

The motion, seconded by Councilman Palmer, carried by the following vote:
 Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
 Noes: None

The City Manager submitted the following:

"November 4, 1959

"W. T. Williams, Jr., City Manager

Contract No. 59-D-24

"Following is a tabulation of the bids received at 10:00 A.M., Tuesday, November 3, 1959 for the construction of miscellaneous storm sewers in the following areas: Guadalupe Street, Brentwood Street, Canon Street, Chesterfield Avenue, and Denson Drive Easement No. 4 - Contract No. 59-D-24.

"Ed H. Page	\$22,014.00
Capital Construction Co., Inc.	22,385.95
Walter W. Schmidt	23,000.58
Larson-Pugh, Inc.	27,168.68
Lee Maners	27,473.17
Fairey-Simons, Inc.	27,614.93
Austin Engineering Company	27,701.66
Bland Construction Company	31,249.05
Karl Wagner, Inc.	41,947.15
"City's Estimate	\$23,600.00

"I recommend that Ed H. Page with his low bid of \$22,014.00 be awarded the contract for this project.

"S. Reuben Rountree, Jr.
 Director of Public Works"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on November 3, 1959 for the construction of miscellaneous storm sewers in the following areas: Guadalupe Street, Brentwood Street, Canon Street, Chesterfield Avenue, and Denson Drive Easement No. 4 - Contract No. 59-D-24; and

WHEREAS, the bid of Ed H. Page, in the sum of \$22,014.00, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works, of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:"

That the bid of Ed H. Page, in the sum of \$22,014.00 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of

Austin with Ed H. Page.

The motion, seconded by Councilman Palmer, carried by the following vote:
 Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
 Noes: None

The City Manager submitted the following:

"November 3, 1959

"Mr. W. T. Williams, Jr.
 City Manager
 Austin, Texas

"Dear Mr. Williams:

"Bids were received until 2:00 P.M., Tuesday, November 3, 1959 at the Office of the Director of Water and Sewer Department for the Nelray Boulevard and West 55th Street Water Mains. The bids were publicly opened and read in the Second Floor Conference Room, Municipal Building, Austin, Texas.

"The following is a tabulation of bids received:

<u>"FIRM</u>	<u>AMOUNT</u>	<u>WORKING DAYS</u>
Fairey - Simons Co.	\$ 9,196.70	45
Karl Wagner, Inc.	9,537.75	30
Austin Engineering Co.	10,451.90	30
Walter W. Schmidt	10,692.10	35
J. R. Barnes Engineering Co.	10,725.00	60
Bland Construction Co.	11,354.70	50
Capital Construction Co.	11,544.00	30
Glade Construction Co.	11,655.40	40
Ebner and Green	11,812.72	90
J. W. Fainter	13,501.50	40

"It is recommended that the contract be awarded to the Fairey - Simons Company on their low bid of \$9,196.70, with 45 working days.

"Yours truly,
 (Sgd) Victor R. Schmidt, Jr.
 Superintendent, Water Distribution
 (Sgd) Albert R. Davis
 Director, Water and Sewer Department

Approved:
 W. T. Williams, Jr.
 City Manager"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on November 3, 1959, for the installation of water mains in Nelray Boulevard and West 55th Street; and

WHEREAS, the bid of Fairey-Simons Company, in the sum of \$9,196.70, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director, Water and Sewer Department, of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Fairey-Simons Company, in the sum of \$9,196.70 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Fairey-Simons Company.

The motion, seconded by Councilman Palmer, carried by the following vote:
Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The City Manager submitted the following:

"November 3, 1959

"Mr. W. T. Williams, Jr.
City Manager
Austin, Texas

"Dear Mr. Williams:

"Bids were received until 2:00 P.M., Tuesday, November 3, 1959 at the Office of the Director of Water and Sewer Department for the Becker Avenue, Duval Street, Eilers Avenue and East 50th Street Water Mains. The bids were publicly opened and read in the Second Floor Conference Room, Municipal Building, Austin, Texas.

"The following is a tabulation of bids received:

<u>"FIRM</u>	<u>AMOUNT</u>	<u>WORKING DAYS</u>
Fairey-Simons Company	\$11,876.44	45
Capital Construction Company	12,638.20	30
Walter W. Schmidt	12,735.00	35
Bland Construction Company	12,852.20	45
Austin Engineering Company	13,266.10	40
Ebner and Green	13,598.91	90
J. R. Barnes Engineering Company	14,044.60	75
Karl Wagner, Incorporated	14,907.50	60
Ghade Construction Company	15,130.80	40
J. W. Fainter	16,835.00	40

"It is recommended that the contract be awarded to the Fairey-Simons Company on their low bid of \$11,876.44, with 45 working days.

"Yours truly,
(Sgd) Victor R. Schmidt, Jr.
Superintendent, Water Distribution
(Sgd) Albert R. Davis
Director, Water and Sewer Department

"Approved:
W. T. Williams, Jr.
City Manager"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on November 3, 1959, for the installation of Water mains in Becker Avenue, Duval Street, Eilers Avenue and East 50th Streets; and

WHEREAS, the bid of Fairey-Simons Company, in the amount of \$11,876.44, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director, Water and Sewer Department, of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Fairey-Simons Company, in the sum of \$11,876.44 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Fairey-Simons Company.

The motion, seconded by Councilman Palmer, carried by the following vote:
Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The City Manager submitted the following:

"November 4, 1959

"TABULATION OF BIDS Sale of House Bids Opened November 4, 1959

Leonard Snyder	Harve E.	H.W.Smith	J.W.Dorsett	Boothe & Voight
Rt.1,Box 53	Womack	604 Pres-	Rt.4,Box	C.C. \$18.88
Cedar Creek,	M.O.	sler C.C.	222 M.O.	
Texas C.C.	\$5.18	\$20.55	\$41.40	
\$25.00				

1507 Scenic Drive-
One Story
frame house 34x
30 feet contain-
ing approximately
900 square feet
living area and
375 square feet
porches.

\$497.12	\$103.52	\$311.00	<u>\$827.50</u>	\$377.77
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Note: Amount underlined represents high bidder."

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on November 4, 1959, for the sale of city-owned house located at 1507 Scenic Drive; and,

WHEREAS, the bid of J. W. Dorsett in the sum of \$827.50 was the highest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. T. Williams, Jr., City Manager, be and he is hereby authorized to enter into a contract on behalf of the City of Austin with J. W. Dorsett for the sale of said house located at 1507 Scenic Drive, in the City of Austin, Travis County, Texas.

The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller

Noes: None

Councilman Bechtol moved that A. D. BOLM be granted permission to remove Adams Apple on East Avenue. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller

Noes: None

MR. JOHN A. RAMSEY stated he would like to see a large hall built to accomodate the young people, to have use of it at any time, and have supervised games and dances. The Mayor told Mr. Ramsey of the Centers and Recreation Halls that the City provided and supervised; and of other recreational activites supervised by the Civitan Club and others.

COLONEL MURPHY, Director of Aviation, invited the Council to take part in the parade next Wednesday, November 11th, and stated that arrangements had been made to meet the Council at the City Hall at 10:10 A.M. and drive to Congress and 2nd to be in the Parade.

The Council agreed to instruct the City Manager to advertise for bids on the parking lot between 4th and 5th Streets and Guadalupe and San Antonio Streets, Sunday, November 8th.

The City Manager stated he had a letter from MR. IRBY CARRUTH, Superintendent of Public Schools, stating they were looking for a site for a Junior High School below 1st and East Avenue, and inquiring about the possibility of using the tract that the Vocational School is now on. The City Manager stated part of that tract was under lease to the Government to build an armory; and for the north part of the tract, the Council had concluded to put in a material yard for the Public Works. Different members of the Council stated that we should keep what river property we had and not consider this request at this time. The City Manager stated the property was now under lease to the Government, and he would convey the information to Mr. Carruth that it was not available.

The City Manager submitted a report from Mr. BEVERLY SHEFFIELD, Director of Recreation, concerning some of the facts of the go-cart club. He stated he did not see in this activity anything in which the Recreation Department could participate. The Chief of Police filed an article from the November 1959 issue

of TRAFFIC SAFETY, a National Safety Council Publication, entitled "Little Cars--Big Danger" and "Cute Little Killers". Councilman Bechtol was opposed to the use of any city property for this activity. Councilman White suggested turning the Club's request down. Councilman Palmer stated that the group be told they could not use the area down by the Auditorium. Councilman Bechtol stated that there would be no city property made available to this activity.

MR. DUDE McCANDLESS and MR. KAY MILLER came before the Council asking permission to withdraw their subdivision plat of Skyview No. 4, which had been approved by the Planning Commission, subject to fiscal arrangement, and return the area to its original status--acreage zoned "C". Before the Planning Commission had approved this, it had requested an application to change the property back to "A"; but the plat has not been recorded and the zoning application has not been acted upon. Mr. McCandless stated everyone that had been sold in the area knew the commercial zoning was already established on the area. Mr. McCandless had a sale of the property from Avenue F to the railroad tract. MR. HOYNE OSBORNE stated he would call a special meeting of the Planning Commission to hear this. Councilman Bechtol stated the Planning Commission could accept or reject the application to withdraw; and if they rejected it, they would have an appeal to the Council.

The Council had before it the petition signed by eleven property owners requesting that Lots 1 and 2, Block 1, Lincoln Gardens, Section 2 (TOM S. PLUMMER, 1413-1415 Webberville Road) be changed from "C-1" Commercial to "A" Residence, the petition having been filed August 13, 1959, and laid over. Also before the Council was a Memorandum from the City Attorney dated August 27, 1959, regarding the petition. Councilman Bechtol moved that the petition to zone the property from "C-1" Commercial back to "A" Residence be denied. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the widening and straightening of East Riverside Drive from the Interregional Highway to Montopolis Drive in order to provide more adequately for the safe passage of traffic along East Riverside Drive; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of the hereinafter described tract of land for right of way to permit the necessary widening and straightening of East Riverside Drive; and,

WHEREAS, the City of Austin has negotiated with the owner of said land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owners and lienholders, a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land:

0.721 of one acre of land, same being out of and a part of that certain tract of land, a portion of the Santiago Del Valle Grant which lies partly within and partly without the corporate limits of the City of Austin, Travis County, Texas, which certain tract of land was conveyed to Percy A. McDannell by an Executrix's Deed dated February 7, 1935, of record in Volume 516 at page 178 of the Deed Records of Travis County, Texas, said 0.721 of one acre of land being more particularly described by metes and bounds as follows:

BEGINNING at an iron stake at the point of intersection of the west line of Montopolis Drive as fenced with the proposed south line of East Riverside Drive, same being a line forty (40)00 feet south of and parallel to the proposed centerline of East Riverside Drive as established by the Department of Public Works of the City of Austin, said iron stake being also in the east line of the said Percy A. McDannell tract of land as fenced;

THENCE, with the proposed south line of East Riverside Drive the following two (2) courses:

- (1) N 60° 05' W 943.87 feet to an iron stake;
- (2) N 60° 03' W 602.52 feet to an iron stake in the west line of the said Percy A. McDannell tract of land;

THENCE, with the west line of the said Percy A. McDannell tract of land N 29° 18' E 20.66 feet to an iron stake in the present south line of East Riverside Drive as fenced;

THENCE, with the present south line of East Riverside Drive as fenced, same being the north line of the said Percy A. McDannell tract of land, the following two (2) courses:

- (1) S 60° 01' E 602.51 feet to an iron stake;
- (2) S 60° 04' E 944.02 feet to an iron stake in the west line of Montopolis Drive as fenced;

THENCE, with the west line of Montopolis Drive as fenced S 30° 22' W 20.04 feet to the point of beginning.

The motion, seconded by Councilman Bechtol, carried by the following vote:
Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public

necessity requires the widening and straightening of East Riverside Drive from the Interregional Highway to Montopolis Drive in order to provide more adequately for the safe passage of traffic along East Riverside Drive; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of the hereinafter described tract of land for right of way to permit the necessary widening and straightening of East Riverside Drive; and,

WHEREAS, the City of Austin has negotiated with the owner of said land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owners and lienholders, a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land:

758.0 square feet of land, a portion of that certain tract of land, a part of Lot No. 6 of the Colorado River Park Addition, a subdivision out of and a part of the Santiago Del Valle Grant in the City of Austin, Travis County, Texas, as shown on a map or plat of record in Book 2, Page 220, Travis County Plat Records, conveyed by a Warranty Deed dated December 2, 1955, from J. G. Brannum et ux Beula B. Brannum to K. R. Meyer, recorded in Book 1644 Page 128 Travis County Deed Records. Said 758.0 square feet of land being more particularly described by metes and bounds as follows:

BEGINNING at an iron stake set in the present north line of East Riverside Drive, same being in the Southeast corner of said Lot No. 6, Colorado River Park Addition, from which a point in the northeast corner of said K. R. Meyer tract of land bears N 41° 38' E 132.0 feet;

THENCE, with the east line of Lot No. 6, Colorado River Park Addition N 41° 38' E 16.02 feet to a galvanized iron pin set in the proposed north line of East Riverside Drive;

THENCE, with the proposed north line of East Riverside Drive N 46° 07' W 48.0 feet to a galvanized iron stake set in the west line of the K. R. Meyer tract, from which a point in the northwest corner of said K. R. Meyer tract bears N 41° 38' E 116.40 feet;

THENCE, with the west line of the K. R. Meyer tract S 41° 38' W 15.60 feet to a wooden hub set in the present north line of East Riverside Drive;

THENCE, with the present north line of East Riverside Drive S 45° 37' E 48.01 feet to the place of the beginning.

The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller

Noes: None

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the widening and straightening of East Riverside Drive from the Interregional Highway to Montopolis Drive in order to provide more adequately for the safe passage of traffic along East Riverside Drive; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of the hereinafter described tract of land for right of way to permit the necessary widening and straightening of East Riverside Drive; and,

WHEREAS, the City of Austin has negotiated with the owner of said land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owners and lienholders, a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land:

1,080 square feet of land a portion of that certain tract of land, out of and a part of the Santiago Del Valle Grant in the City of Austin, Travis County, Texas, conveyed by a Warranty Deed dated December 30, 1946, from A. J. Cornelius to Josephine Ouida Cornelius of record in Book 831, Page 299, Travis County deed records and being also a portion of Lot No. 5, Colorado River Park Addition as shown on a map or plat recorded in Book 2, Page 220 Travis County Plat Records. Said 1,080 square feet of land being more particularly described by metes and bounds as follows:

BEGINNING at a galvanized iron pin set in the proposed north line of East Riverside Drive, same being in the east line of that certain 0.50 of one acre of land out of and a part of the Santiago Del Valle Grant in the City of Austin, Travis County, Texas, conveyed by a Quit Claim Deed dated June 11, 1958 from Peyton S. Jones to Beula B. Jones, a feme sole, recorded in Book 361, Page 243, Travis County Deed Records, from which an iron stake set in the northeast corner of the said Josephine Ouida Cornelius tract bears N 38° 59' E 133.53 feet.

THENCE with the proposed north line of East Riverside Drive N 46° 07' W 68.68 feet to a galvanized iron pin set against the west side of a rock wall from which an iron pipe set in the northwest corner of the Josephine Ouida Cornelius tract bears N 47° 30' E 131.31 feet.

THENCE with the west line of the Josephine Ouida Cornelius tract S 47° 30' W 16.54 feet to a nail set in the present north line of East Riverside Drive.

THENCE with the south line of the Josephine Ouida Cornelius tract same being the present north line of East Riverside Drive S 47° 48' E 71.00 feet to an iron stake in the southeast corner of the said 0.50 of one acre of land

same being the southeast corner of the Josephine Ouida Cornelius tract.

THENCE with the east line of the said Josephine Ouida Cornelius tract
N 38° 59' E 14.50 feet to the place of the beginning.

The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller

Noes: None

Councilman Bechtol moved that the Council adjourn. The motion, seconded
by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller

Noes: None

There being no further business, the Council adjourned at 3:00 P.M.,
subject to the call of the Mayor.

APPROVED

Tom Miller
Mayor

ATTEST:

Elvis Hoosley
City Clerk